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ABSTRACT

To determine how Hispanic Americans in various professional roles prioritize the importance of school desegregation and its continuation, a brief survey was conducted with approximately 20 people in January 1998. The school segregation of Hispanic students has a long history in the United States, and Hispanics have waged efforts comparable to those of African Americans to desegregate public schools. A questionnaire was designed for the study containing three open-ended questions about segregation and one asking for suggestions. Nine responses were received, from researchers, school superintendents, professors, a lawyer, and a school trustee. The overall view, held by all respondents, was that school desegregation was no longer as high a priority as it was at its zenith, around 1966 at the time of the Keys case in Colorado. At that time, school desegregation was viewed by the Hispanic community as a major legal strategy to improve the educational experience of Hispanic students. Today, the strategy considered most likely to improve education for Hispanic students is the allocation of more resources through equitable funding. The respondents who were educators thought that efforts to improve funding and instructional practices should be pursued more aggressively. Although their focus has shifted, respondents continue to concentrate on the original purpose of desegregation, the improvement of education for Hispanic Americans. Teacher education and early childhood education programs were among the initiatives respondents thought should be the focus of new resource allocation. (Contains one table and eight references.) (SLD)

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Latino Communities: 1998 Perspective on School Desegregation

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LATINO COMMUNITIES: 1998 PERSPECTIVE ON SCHOOL DESEGREGATION

by

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Purpose

In an effort to obtain a view of how Hispanic persons in various professional roles currently prioritized the importance of school desegregation and it's continuance, a simple and short survey was conducted with approximately 20 individuals across the United States in January of 1998. The survey attempted to ascertain the views about: (1) how important desegregation was as a strategy, (2) how viable was it as a strategy, i.e., should it be continued, (3) indirectly, how successful had it been in accomplishing its goal of improving education for Hispanics, and (4) what strategy or issue was the Hispanic community placing its energies on currently.

Brief Historical Background of Court Cases

School segregation of Hispanic youngsters has a comparably long length of time in the United States as African Americans have with school segregation. Similarly, efforts by Hispanic communities by way of court battles to desegregated schools is comparable to the African Americans legal struggles. Since most educators and the general public are unfamiliar with the efforts by Hispanics to desegregate public schools, a quick recount and short version is provided herein.

Discriminated treatment of Spanish-surname Americans is as old as the birth of this nation. In addition, discriminatory treatment goes across the spectrum, i.e., in employment, public accommodations, administration of justice,

housing, civil rights as well as education. While segregation is a term which strictly speaking refers only to the setting apart or separation of individuals, it is a practice which has resulted in the exclusion of students of color from equal education. The segregation of students of color from white students in public schools has always been rooted in unfounded misconceptions better known as racist attitudes. Unfortunately, in order for society to condone this banal irrational practice, a logical excuse has usually been fabricated. Before the famous 1954 Supreme Court decision, *Brown v. School Board of Topeka, Kansas*, the segregation of African American students was defended against attack on the fallacious "separate-but-equal" concept. In kind, a sister excuse was manufactured for the isolation of Spanish-surname students. The pre-Brown argument of segregating Latino students was based upon English language deficiency (Carter, 1970). However, the placement of Latino students unto themselves was arbitrary for two reasons. One, no appropriate and systematic language assessment was applied for the purpose of pedagogical placement. Two, Latino children who had no language problem were automatically assigned to schools and classrooms composed of students of like ancestry.

In large metropolitan centers, segregation of Hispanic students was due mostly to residential patterns that fostered racial and ethnic isolation. In major cities, like Los Angeles, this type of school desegregation was considered de facto. In small cities or rural areas, Latino school desegregation was de jury, i.e., school officials overtly separated students by schools.

The Latino legal challenge against school segregation in the United States has been spearheaded by the Mexican American community. Judicial opposition against school segregation goes back as early as 1930 in Texas with the *Independent School District v. Salvatierra*. After 17 years of legal maneuvering, the Texas Attorney General issued an opinion that reinforced the language deficiency premise, ruling that the Del Rio School district was justified in separating Latino students from white students.

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In 1946, the *Mendez v. Westminister School District*, of California was the first federal court decision. The court ruled that separate schools with the same technical facilities did not meet the laws of equal protection. The Ninth Circuit Court reaffirmed the federal decision.

Two years later, 1948, in Texas, the *Delgado v. Bastrop Independent School District*, court decision reaffirmed the landmark California *Mendez* case. However, even with these two favorable court cases in two very strategic states, school districts continued their practice of providing inequitable education by "integrating" Latino students with African American students. As early as 1955, this technical escape used by school districts was questioned in California by parents in the El Centro School District. In 1970, the question was put to the legal test again in the *Keys v. School District Number One*, in Colorado. Regrettably, neither of the two cases settled the issue. It was not until *Cisneros v.Corpus Christi Independent School District*,(1970) in Texas that the technical loophole was sealed off. The Cisneros case is fundamentally significant because for the first time a court official declared Mexican Americans as an identifiable ethnic minority group for the purposes of public school desegregation (Salinas, 1971).

Methodology

A qualitative approach was used, that is, a simple and short questionnaire was designed. It had three questions addressing the issue of desegregation, all open ended, and one open-ended question that solicited any suggestion the respondent wanted to provide. (See attachment for actual questionnaire). The questionnaire was mailed out with a one-page cover letter soliciting a response by February, 1998.

The questionnaire was sent to Hispanic persons who are in the roles of school superintendent, researcher, elected school board member of k-12 districts, currently serving state representative, professor, lawyer, and head

of Hispanic organizations. In an attempt to get geographic representation persons were identified in the West-coast, Southwest, Southeast, mid-West, New England area, and East-coast.

The responses were a total of nine (9). Respondents were researchers, school superintendents, professors, a lawyer, and a school trustee. Geographic representation was from Arizona, California, Florida, Massachusetts, and Texas. (See Table I)

Table I.

	Superintendent	Researcher	Professor	Lawyer	Board Member	Total
AZ	2		1			3
CA			2	1		2
FL					1	1
MASS		1				1
TX		1				1
Total	2	2	3	1	1	9

Respondents by Role and Geography

Summary of Findings

The overall view held by all respondents was that school desegregation was no longer a high priority as when it was at its zenith, i.e., circa 1966 with the Keys case in Denver, Colorado. Back then, school desegregation was viewed by the Hispanic community as a major legal strategy to improve the educational experience of Hispanic youngsters by providing them access to better quality schools, i.e., better (certified) teachers, newer facilities, greater number of textbooks, more instructional equipment, etc. Now, the strategy considered the most likely to improve the condition of Hispanic children and youth in education is more resources via equitable funding. Given the number of successful legal challenges in states regarding school funding formulas, starting with the famous *Rodriguez* case in San Antonio, Texas (circa 1974), the current prevailing view by Hispanics in all roles surveyed is to concentrate their efforts in securing a state funding system which will provide Hispanic communities/schools (segregated

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or not) with more resources so they can build new schools, renovate old buildings, employ more teachers, purchase new technology, implement instructional programs of their choosing such as bilingual education, train teachers about the Hispanic cultural and heritage through staff development, etc.

Also connected to this new resource strategy (replacing the desegregation approach) is the concept of (local) control, i.e., Hispanic educators and parents determine the curriculum and instructional methodology for the Hispanic students. Hispanic community persons are relying on the local control approach because more Latinos are getting into key administrative roles in school districts as well as elected roles, such as Latino superintendents, school building principals and school board members.

While the above is the general consensus, there is differences in degrees. For example, both researchers who responded and one superintendent believed that desegregation should still be of high priority, listed among the top three most pressing issues facing Hispanics today, but not number one or two. They indicated that both the strategy of desegregation and equitable funding must be pursued concurrently.

One of the three professors and the other school superintendent who responded indicated that while desegregation efforts should not be abandoned, efforts that addressed funding and instructional practiced had to be pursued more aggressively. Better trained teachers, more appropriate curriculum, stronger communication between educators and parents had to occur.

One responded, a practicing attorney at law, who has worked on educational issues with school personnel, believes that due to the dramatically changing demographics, school administrators will have a very difficult time to come close to achieving a balanced school population. Therefore, when dealing with desegregation, school administrators will have to attend to the issue in two ways: insure that the highest concentrated minority schools (i.e., segregated

schools) do not have the lowest test scores (instructional strategy) and two, find ways to prevent white flight.

One professor from the West coast and the lone school board member from the Southeast, responding to the question about the perceived prominent view among local community leaders, said the same thing, i.e., promotion of desegregation is based primarily on personal interest. Personal interest appears to overshadow the common good. For example, Hispanic newcomers who tend to be similar in social class and educational backgrounds to traditional members are not concerned with desegregation since their children attend integrated schools in middle class communities. But it is not clear whether these middle class Hispanic youngsters attending neighborhood schools are being educated in integrated classrooms.

Finally, one responded, a researcher, alleviated the future focus on desegregation. The effort to continue the struggle to desegregate must go beyond the original intent of providing equal access to facilities, and surpass the current effort for equitable funding, and move to assuring quality learning outcomes for Hispanic students. The responding lawyer in the survey indirectly was proposing the same view.

In closing, it is clear that the current thinking of Hispanic and other advocates who have been and are working to improve the education of Latino youngsters have evolved to a different general strategy. But they continue to keep "their eye on the prize" or stay focused on the original purpose of desegregation - Hispanic and all children get the best education available. This is best illustrated in response to one of the questions, i.e., What do you consider to be the three most critical issues facing Hispanics in K-12 education? The following is a listing of the responses. [Some responses were mentioned more than once]

- Protecting the continued support of public schools - fending off the move to use public funding to support private schooling.

- Implementing quality Bilingual Education and ESL programs.
- Put in place school dropout prevention programs.
- We must raise the level of education so that Hispanic students can succeed by training teachers to be multiculturally sensitive, and establish strong communication between teachers and administrators.
- Prepare Hispanics for higher education and or lucrative careers.
- Establish concerted efforts to acknowledge the capacities and accomplishments of Hispanics.
- Establish early childhood education programs.

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Survey

Future of School Desegregation Movement in the United States, as it relates to Hispanics

Instructions please provide your response within the space provided

Question #1

Since the public schools are more segregated today than they were in 1970 (as documented by latest study, Gary Orfield, Harvard University), what is your view regarding this issue? That is, should the Hispanic community continue to promote desegregation or should we place our efforts in other arenas (e g , equitable school funding)?

Question #2

What do you perceive to be the prominent view among your local community leaders (education, civil, organizations) concerning the continuing efforts to desegregate public schools? That is, do you think these Hispanic community leaders remain committed to promoting desegregation or do you see these community leaders placing their efforts on other priorities?